EXHIBIT A

Dockets.Justia.com

Certificate of Registration

SEAL OF THE UNITED STATES COPYRIGHT OFFICE 1870

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Form VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

VA 1-340-784

EFFECTIVE DATE OF REGISTRATION

Feb 21 2006
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

Title of This Work ▼
FragranceNet.com Photographs (Group 1)

NATURE OF THIS WORK ▼ See instructions
Photographs

Previous or Alternative Titles ▼
Group Registration/Photos (approximately 1975 photos in grouping)

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼
Publication as a contribution to a Web site

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

NOTE
Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

a **NAME OF AUTHOR ▼**
FragranceNet.com, Inc. *Employer for hire of: Anthony Hulser

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
☑ Yes
☐ No

Author's Nationality or Domicile
Name of Country
OR { Citizen of ______
Domiciled in United States

Was This Author's Contribution to the Work
Anonymous? ☐ Yes ☐ No
Pseudonymous? ☐ Yes ☐ No
If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). See instructions
☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing
☐ 2-Dimensional artwork ☑ Photograph ☐ Text
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work

b **Name of Author ▼**

Dates of Birth and Death
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
☐ Yes
☐ No

Author's Nationality or Domicile
Name of Country
OR { Citizen of ______
Domiciled in ______

Was This Author's Contribution to the Work
Anonymous? ☐ Yes ☐ No
Pseudonymous? ☐ Yes ☐ No
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☐ 2-Dimensional artwork ☐ Photograph ☐ Text
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work

3

a **Year in Which Creation of This Work Was Completed** 2003 Year
This information must be given in all cases.

b **Date and Nation of First Publication of This Particular Work**
Complete this information ONLY if this work has been published.
Month 12 Day 20 Year 2003 approximately
United States Nation

4

See instructions before completing this space.

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
FragranceNet.com, Inc., 104 Parkway Drive South, Hauppauge, New York, NY 11788

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

DO NOT WRITE HERE OFFICE USE ONLY
APPLICATION RECEIVED
FEB 21 2006
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED
FEB 21 2006
FUNDS RECEIVED

MORE ON BACK ▶ • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE

*Amended by C.O. on authority of phone call from Catherine M. Clayton, Esq. on March 7, 2006.

EXAMINED BY	FORM VA
CHECKED BY	
☐ CORRESPONDENCE Yes	FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

5

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?
☐ Yes ☑ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼
a. ☐ This is the first published edition of a work previously registered in unpublished form.
b. ☐ This is the first application submitted by this author as copyright claimant.
c. ☐ This is a changed version of the work, as shown by space 6 on this application.
If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

6

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.
a a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

See instructions before completing this space.

b b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

7

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
a Name ▼ Account Number ▼

b **CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

Catherine M. Clayton, Esq.
Paul, Hastings, Janofsky & Walker LLP, 75 East 55th Street, New York, NY 10022

Area code and daytime telephone number (212) 318.6084 Fax number (212) 230.7781
Email rls@paulhastings.com

8

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one ▶
☐ author
☐ other copyright claimant
☐ owner of exclusive right(s)
☑ authorized agent of FragranceNet.com, Inc.
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.
Dennis M. Apfel Date 2/10/06

Handwritten signature (X) ▼
X

9

Certificate will be mailed in window envelope to this address:

Name ▼
Catherine M. Clayton, Esq.
Paul, Hastings, Janofsky & Walker LLP
Number/Street/Apt ▼
75 East 55th Street
City/State/ZIP ▼
New York, NY 10022

• Complete all necessary spaces
• Sign your application in space 8

1. Application form
2. Nonrefundable filing fee in check or money order payable to *Register of Copyrights*
3. Deposit material

Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than $2,500.

Certificate of Registration

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Form VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

VA 1-340-783

EFFECTIVE DATE OF REGISTRATION

Feb 21 2006
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

Title of This Work ▼
FragranceNet.com Photographs (Group 2)

NATURE OF THIS WORK ▼ See instructions
Photographs

Previous or Alternative Titles ▼
Group Registration/Photos (approximately 846 photos in grouping)

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. **Title of Collective Work** ▼
Publication as a contribution to a Web site

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

a NAME OF AUTHOR ▼
FragranceNet.com, Inc. *Employer for hire of: Anthony Hulser

DATES OF BIRTH AND DEATH Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? ☑ Yes ☐ No

Author's Nationality or Domicile — Name of Country: OR { Citizen of ____ / Domiciled in United States

Was This Author's Contribution to the Work — Anonymous? ☐ Yes ☐ No — Pseudonymous? ☐ Yes ☐ No — If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). **See instructions**
☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing
☐ 2-Dimensional artwork ☑ Photograph ☐ Text
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work

NOTE
Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

b Name of Author ▼

Dates of Birth and Death Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

Author's Nationality or Domicile — Name of Country: OR { Citizen of ____ / Domiciled in ____

Was This Author's Contribution to the Work — Anonymous? ☐ Yes ☐ No — Pseudonymous? ☐ Yes ☐ No — If the answer to either of these questions is "Yes," see detailed instructions.

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☐ 2-Dimensional artwork ☐ Photograph ☐ Text
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work

3

a Year in Which Creation of This Work Was Completed 2004 Year — This information must be given in all cases.

b Date and Nation of First Publication of This Particular Work — Complete this information ONLY if this work has been published.
approximately Month 11 Day 25 Year 2004
United States Nation

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
FragranceNet.com, Inc., 104 Parkway Drive South, Hauppauge, New York, NY 11788

See instructions before completing this space.

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

DO NOT WRITE HERE — OFFICE USE ONLY
APPLICATION RECEIVED FEB 21 2006
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED FEB 21 2006
FUNDS RECEIVED

MORE ON BACK ▶ • Complete all applicable spaces (numbers 5-9) on the reverse side of this page. • See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE

*Amended by C.O. on authority of phone call from Catherine M. Clayton, Esq. on March 7, 2006.

EXAMINED BY	FORM VA
CHECKED BY	
☐ CORRESPONDENCE Yes	FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

5

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☑ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼

a. ☐ This is the first published edition of a work previously registered in unpublished form.

b. ☐ This is the first application submitted by this author as copyright claimant.

c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

6

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a

See instructions before completing this space.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b

7

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Account Number ▼

a

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

b

Catherine M. Clayton, Esq.
Paul, Hastings, Janofsky & Walker LLP, 75 East 55th Street, New York, NY 10022

Area code and daytime telephone number (212) 318.6084 Fax number (212) 230.7781

Email rls@paulhastings.com

8

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one ▶
☐ author
☐ other copyright claimant
☐ owner of exclusive right(s)
☑ authorized agent of FragranceNet.com, Inc.
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Dennis M. Apfel Date 2/10/06

Handwritten signature (X) ▼

X

9

Certificate will be mailed in window envelope to this address:

Name ▼ Catherine M. Clayton, Esq.
Paul, Hastings, Janofsky & Walker LLP

Number/Street/Apt ▼ 75 East 55th Street

City/State/ZIP ▼ New York, NY 10022

• Complete all necessary spaces
• Sign your application in space 8

1. Application form
2. Nonrefundable filing fee in check or money order payable to *Register of Copyrights*
3. Deposit material

Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

Fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than $2,500.

Rev: August 2003—30,000 Web Rev: June 2002 ● Printed on recycled paper U.S. Government Printing Office: 2003-496-905/60,029

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Marybeth Peters

Register of Copyrights, United States of America

Form VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

VA 1-340-782

EFFECTIVE DATE OF REGISTRATION

Feb 21 2006
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

Title of This Work ▼
FragranceNet.com Photographs (Group 3)

NATURE OF THIS WORK ▼ See instructions
Photographs

Previous or Alternative Titles ▼
Group Registration/Photos (approximately 382 photos in grouping)

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. **Title of Collective Work** ▼
Publication as a contribution to a Web site

If published in a periodical or serial give: **Volume** ▼ **Number** ▼ **Issue Date** ▼ **On Pages** ▼

2

a **NAME OF AUTHOR** ▼ *Employer for hire of:
FragranceNet.com, Inc. Matthew Hulser

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
☑ Yes
☐ No

Author's Nationality or Domicile
Name of Country
OR { Citizen of ___
Domiciled in United States

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Pseudonymous? ☐ Yes ☐ No
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Dates of Birth and Death
Year Born ▼ Year Died ▼

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☐ No

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Name of Country
OR { Citizen of ___
Domiciled in ___

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3

a **Year in Which Creation of This Work Was Completed** 2005 Year
This information must be given in all cases.

b **Date and Nation of First Publication of This Particular Work** approximately
Complete this information ONLY if this work has been published.
Month 11 Day 10 Year 2005
United States Nation

4

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FragranceNet.com, Inc., 104 Parkway Drive South, Hauppauge, New York, NY 11788

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ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED
FEB 21 2006
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EXAMINED BY

CHECKED BY

☐ CORRESPONDENCE Yes

FORM VA

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Name ▼ Account Number ▼

a

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

b

Catherine M. Clayton, Esq.
Paul, Hastings, Janofsky & Walker LLP, 75 East 55th Street, New York, NY 10022

Area code and daytime telephone number (212) 318.6084 Fax number (212) 230.7781

Email rls@paulhastings.com

8

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one ▶
- ☐ author
- ☐ other copyright claimant
- ☐ owner of exclusive right(s)
- ☑ authorized agent of FragranceNet.com, Inc.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

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Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Dennis M. Apfel Date 2/13/06

Handwritten signature (X) ▼

X

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Name ▼ Catherine M. Clayton, Esq.
Paul, Hastings, Janofsky & Walker LLP

Number/Street/Apt ▼ 75 East 55th Street

City/State/ZIP ▼ New York, NY 10022

- Complete all necessary spaces
- Sign your application in space 8

1. Application form
2. Nonrefundable filing fee in check or money order payable to *Register of Copyrights*
3. Deposit material

Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

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